

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OPAL HARGER, *et al.*

Plaintiffs,

v.

U.S. DEPARTMENT OF LABOR,
and THE NATIONAL INSTITUTE
OF OCCUPATIONAL SAFETY
AND HEALTH,

Defendants.

NO. CV-06-5071-RHW

**ORDER GRANTING MOTION
TO DISMISS PLAINTIFFS
RASMUSSEN AND JOHNSON**

Before the Court is Defendants' Unopposed Motion to Dismiss with Prejudice Plaintiffs Lee A. Rasmussen and Mary L. Johnson (Ct. Rec. 300). This motion was heard on an expedited basis without oral argument. Defendants argue that they have awarded Plaintiffs Rasmussen and Johnson full benefits in their reopened administrative claims, and that their claims before this Court should therefore be dismissed. Defendants represent that Plaintiffs do not object.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendants' Unopposed Motion to Dismiss with Prejudice Plaintiffs Lee A. Rasmussen and Mary L. Johnson (Ct. Rec. 300) is **GRANTED**.

2. The claims of Plaintiffs Lee A. Rasmussen and Mary L. Johnson are **DISMISSED with prejudice**. Plaintiffs Rasmussen and Johnson are now dismissed from this matter.

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**ORDER GRANTING MOTION TO DISMISS PLAINTIFFS RASMUSSEN
AND JOHNSON * 1**

1 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
2 Order and to provide copies to counsel.

3 **DATED** this 17th day of June, 2010.

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6 *s/Robert H. Whaley*
7 **ROBERT H. WHALEY**
 United States District Judge

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